

IPSWICH COMMUNITY ACCESS MEDIA

127 High Street. Ipswich MA 01938

July 18, 2019

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, SW
Washington, District of Columbia 20554

*RE: Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as
Amended by the Cable Television Consumer Protection and Competition Act of 1992, Third Report
and Order - MB Docket No. 05-311*

Dear Ms. Dortch,

Since the adoption of the Second Further Notice of Proposed Rulemaking in September of 2018, almost 2,000 Massachusetts individuals, community media centers, elected officials, local officials and non-profit organizations, representing different ethnic, religious, arts, cultural, economic development and educational stakeholders, have responded expressing their concerns with the proposed rulemaking. The sheer number of responders helps to demonstrate the important role PEG channels play in Massachusetts. Their input, statements and objections to the rulemaking demonstrate that the FCC's actions in this regard would undermine the public interest and harm our communities and our local governments.

Adding insult to injury, this Order further preempts LFAs from regulating non-cable services and equipment of franchised cable operators, including the imposition of any fees on non-cable services. This regulation effectively impacts the exercise of municipal authority to regulate placement of facilities in their own rights-of-way. As stated in our Comments submitted on November 2, 2018, this Order combined with the FCC's Declaratory Ruling and Third Report and Order creates a federally-set race to the bottom between telecommunications providers and cable companies providing non-cable services, further and further limiting what municipalities will be able to charge for the use of their public rights-of-way. The FCC's position would effectively mandate an unjustified public subsidy of private commercial interests.

We fervently oppose this Third Report and Order and ask you to reconsider. We ask you to safeguard the public interest by maintaining the current franchise fee structure and honoring the authority of cities and towns to control their public rights-of-way.

Sincerely,
Beth Meyer
Executive Director
ICAM Ipswich

